

ORDINANCE NO. 20080327-055

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT THE SOUTHWEST CORNER OF U.S. HIGHWAY 290 EAST FRONTAGE ROAD AND DECKER LANE AND CHANGING THE ZONING MAP FROM UNZONED (UNZ) TO COMMERCIAL HIGHWAY SERVICES-CONDITIONAL OVERLAY (CH-CO) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from unzoned (UNZ) to commercial highway services-conditional overlay (CH-CO) combining district on the property described in Zoning Case No. C14-2008-0011, on file at the Neighborhood Planning and Zoning Department, as follows:

A 2.06 acre tract of land, more or less, out of the William H. Sanders Survey, Abstract No. 690, Travis County, the tract of land being more particularly described by metes and bounds in Exhibits "A" and "A-1" incorporated into this ordinance (the "Property"),

locally known as the property at the southwest corner of U.S. Highway 290 East frontage road and Decker Lane, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.

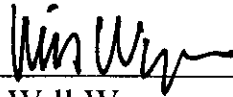
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the commercial highway services (CH) base district and other applicable requirements of the City Code.

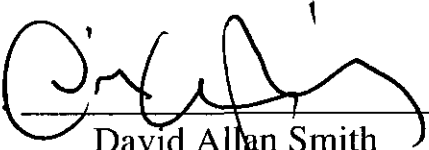
PART 3. This ordinance takes effect on April 7, 2008.

PASSED AND APPROVED

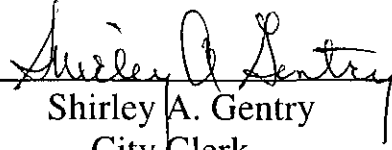
March 27, 2008

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§


Will Wynn
Mayor

APPROVED:  _____

David Allan Smith
City Attorney

ATTEST:  _____

Shirley A. Gentry
City Clerk

EXHIBIT A

Being all of that certain tract or parcel of land containing 2.06 acres, more or less, situated in the William H. Sanders Survey, Abstract No. 690, Travis County, Texas, being the same tract as conveyed by deed dated September 10, 2007, from The Lundell 1991 Trust, to Behzad Bahrami, recorded under Document No. 2007170989 of the Official Public Records of Travis County, Texas, and being more particularly described by metes and bounds shown on Exhibit "A-1" attached hereto and made a part hereof.

EXHIBIT A-1

BEING 2.06 acres of the William H. Sanders Survey No. 54, Abstract No 690, in Travis County, Texas. This tract is part of the property called 4.975 ac (Ex A Tract 2) as referred to in a deed to The Lundell 1991 Trust or record in Vol 11422, Pg 436, Official Records of Travis County, Texas (ORTCT) and as described in a prior deed (Tract 2) as filed in Vol 10363, Pg 836 (ORTCT). This tract was surveyed on the ground in August of 2007, by William F Forest, Jr, Registered Professional Land Surveyor No 1847. Survey note: The bearing basis for this survey is the State Plane Coordinate System, Grid North, Texas Central Zone.

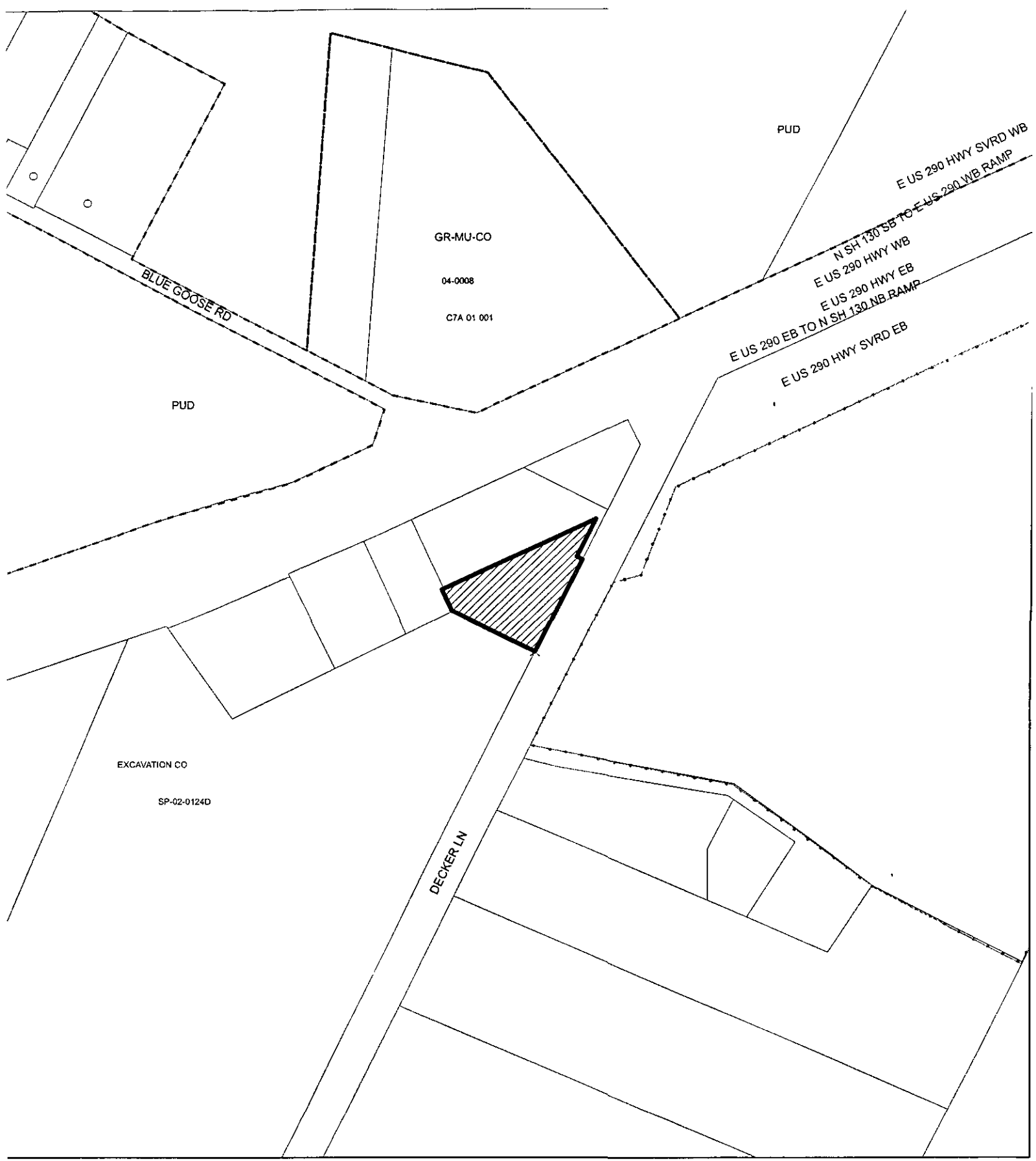
BEGINNING at a pipe found in the West line of Decker Lane (F.M. 3177), at the Southeast corner of the said 4.975 acre Lundell tract. This corner is the Northeast corner of the property (Tract 3, 79.646 ac) which was conveyed to R. Shapiro, et al., Trustees of the Morris and Elaine Shapiro 1987 Family Trust, of record in Vol. 12043, Pg. 2049 (for description see 10657/358, ORTCT)

THENCE with the common boundary between Lundell and Shapiro, N 62 deg. 00 min. 12 sec W 293.93 feet to a pipe found, and N 23 deg. 26 min 55 sec. W 74.11 feet to a TxDot monument found (iron pin capped with TxDot aluminum cap).

THENCE with the South line of the 2.917 ac parcel described in a Possession and Use Agreement of record in Doc. 2005083146 (ORTCT), N 66 deg. 28 min 29 sec E 533.09 feet to an iron pin set.




THENCE continuing with the boundary of the said 2.917 acre parcel, S 28 deg 04 min. 59 sec. W 135.46 feet to a TxDot monument found, and S 62 deg. 29 min. 37 sec E 20.23 feet to a TxDot monument found

THENCE with the West line of Decker Lane (F.M. 3177), S 27 deg. 58 min 06 sec. W 328.23 feet to the POINT OF BEGINNING



ZONING EXHIBIT D



-  **SUBJECT TRACT**
-  **ZONING BOUNDARY**
-  **PENDING CASE**

ZONING CASE# C14-2008-0011
ADDRESS DECKER LANE
SUBJECT AREA 2.058 ACRES
GRID R28
MANAGER J. HARDEN

OPERATOR. S. MEEKS



1" = 400'

This map has been produced by G I S Services for the sole purpose of geographic reference
No warranty is made by the City of Austin regarding specific accuracy or completeness